

EXHIBIT C

UNOFFICIAL CONSOLIDATION AND TRANSLATION OF LAWS 66(I) OF 1997, 74(I) OF 1999, 94(I) OF 2000, 119(I) OF 2003, 4(I) OF 2004, 151(I) OF 2004, 231(I) OF 2004, 235(I) OF 2004, 20(I) OF 2005 AND 80(I) OF 2008.

REPUBLIC OF CYPRUS

THE BANKING LAWS OF 1997 TO 2008

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information to other public authorities of the Republic responsible for the enforcement of legislation on the supervision of credit institutions, financial institutions, investment firms and insurance companies and to inspectors acting on behalf of those authorities. Such disclosures are made only where necessary for reasons of prudential control.

(2) The information received under subsection (1) of section 27 and sections 27A and 28A and information obtained by means of the on-the-spot inspections referred to in subsections (11) to (16) of section 27, may never be disclosed in the cases referred to in subsection (1), except with the express consent of the competent authority which disclosed the information or of the competent authority of the Member State in which on-the-spot inspection was carried out.

PART XI

Banking Secrecy

Duty to maintain bank secrecy.

29.(1) No director, chief executive, manager, officer, employee or agent of a bank and no person who has by any means access to the records of a bank, while his employment in or professional relationship with the bank, as the case may be, continues or after the termination thereof, give, divulge, reveal or use for his own benefit any information whatsoever regarding the account of any individual customer of the bank.

(2) Subsection (1) shall not apply in any case where -

(a) the customer or his personal representatives gives or give his or their written permission to do so; or

(b) the customer is declared bankrupt or if the customer is a company, the company is being wound up; or

(c) civil proceedings are instituted between the bank and the customer or his guarantor relating to the customer's account; or

(d) the information is given to the police under the provisions of any law or to a public officer who is duly authorised under that law to obtain that information or to a court in the investigation or prosecution of a criminal offence under any such law; or

(e) the bank has been served with a garnishee order attaching moneys in the account of the customer; or

(f) the information is required by a colleague in the employment of the same bank or its holding company or the subsidiary of the bank or its holding company or an approved

auditor or legal representative of the bank in the course of their duties; or

(g) the information is required to assess the creditworthiness of a customer in connection with or relating to a bona fide commercial transaction or a prospective commercial transaction so long as the information required is of a general nature and in no way related to the details of a customer's account; or

(gi) the information is supplied for the purpose of maintaining and operating the Central Information Register set up under the provisions of sub-sections (3) and (4) of section 41; or

(h) the provision of the information is necessary for reasons of public interest or for the protection of the interests of the bank.

It is provided that the provisions of this section shall also apply to any branch of a bank from a member state established in the Republic, or to any bank which provides cross border services under the provisions of section 10A

PART XII

Powers of the Central Bank

Powers to take measures.

30.(1) The Central Bank may take all or any of the following measures where a bank fails to comply with any of the provisions of this Law, or of any Regulation issued under this Law or with the conditions of its licence, or in the opinion of the Central Bank the liquidity and character of its assets have been impaired or there is a risk that the ability of the bank to meet promptly its obligations may be impaired, or where this is considered necessary for the safeguarding of the interests of depositors or creditors –

(a) require the bank forthwith to take such action as the Central Bank may consider necessary to rectify the matter or to restrict the operations of a bank by imposing conditions on its licence as it thinks desirable;

(b) Without prejudice to the generality of paragraph (a) above, impose conditions under this section and in particular:

(i) require the bank to take certain steps or to refrain from adopting or pursuing a particular course of action or to restrict the scope of its business in a particular way;

(ii) impose limitations on the bank on the acceptance of deposits, the granting of credit or the making of investments;

ranging from one hundred to eight thousand euro, depending on the seriousness of the contravention, for each day during which the contravention continues.

(2) Without prejudice to subsection (1), where the Central Bank in the course of exercising its powers or responsibilities to examine and supervise banks pursuant to this Law or the directives issued under this Law, including its powers and responsibilities to collect information, enter and inspect under sections 25 and 26, ascertains that a bank, due to fault or negligence or omission or in the knowledge of the board of directors or/and of its chief executive officer or/and of a director -

(a) contravenes or fails to comply with any directive or circular lawfully issued to banks by the Central Bank, or

(b) contravenes or fails to comply, within the specified time limit or, in the absence of such time limit, within a reasonable time, with any requirement or notice of the Central Bank lawfully made or addressed to it, or

(c) in complying with any such directive, requirement or notice of the Central Bank or with any provision of the Law or the Regulations issued thereunder, provides or makes available any misleading, inaccurate or incomplete data or information, which it knew or ought to have known that they did not represent true reality,

the Governor of the Central Bank, after inviting the bank to state its defence, has the power to impose for each and every contravention an administrative fine, ranging from one thousand to twenty thousand euro, depending on the seriousness of the contravention, and in the case of a continuing contravention, the Governor of the Central Bank is additionally empowered to impose a further administrative fine, ranging from one hundred to one thousand euro, depending on the seriousness of the contravention, for each day during which the contravention continues.

Administrative fine.

42A. In the case where a bank contravenes any of the obligations of sections 3, 4 and 5 of Regulation (EC) 2560/2001, the Governor of the Central Bank may, after hearing the bank, to impose an administrative fine not in excess of three thousand euro and, in the case of a continuing contravention the Governor of the Central Bank shall impose a further administrative fine not in excess of one hundred euro, for each day during which contravention continues.

PART XVI

Offences, Penalties and Prosecutions

- Offences and penalties. 43. (1) The infringement of any provisions of this Law or any Regulations or directives issued by the Central Bank under this Law, except those provisions referred to in subsection (2), is an offence punishable by imprisonment not exceeding two years or by a fine not exceeding fifty thousand pounds or by both and in case of a continuing offence by a further fine not exceeding one thousand pounds for each day during which the offence continues.
- (2) The infringement of any of the provisions of sections 8, 9, 10, 11, 12, 13, 15, 21, 23, 24, 25 or 26 of this Law is an offence punishable by a fine not exceeding fifty thousand pounds and in case of a continuing offence by a further fine of one thousand pounds for each day during which the offence continues.
- (3) Where an offence is committed as a result of an infringement of the provisions of this Law, by a bank or by an organisation of persons incorporated or unincorporated, then any director, managing director, chief executive, manager, partner or other officer or employee of the bank or of the organisation, who authorises or knowingly permits such infringement shall be guilty of an offence and in case of conviction shall be liable to the penalties provided in subsections (1) or (2) depending on the provisions infringed.
- Prosecutions by or with the consent of the Attorney-General of the Republic. 44. No prosecution in respect of any offence under this Law shall be instituted except by or with the consent of the Attorney-General of the Republic.

PART XVII

Transitional Provisions

- Former licences deemed to be licences under this Law Cap 124. 45. (1) All banking licences issued under the Banking Business (Temporary Restrictions) Law which were in force immediately prior to the enactment of this Law shall be deemed to be banking licences issued under this Law.
- (2) Any conditions attached to a banking licence referred to in subsection (1) shall be deemed to be conditions imposed under this Law and shall continue to be in force until amended, varied or revoked.
- Compliance with this Law. 46. (1) A bank which on the date of coming into operation of this Law was engaging in business prohibited by this Law or was holding specified assets in excess of limits provided under the provisions of sections 11 to 15 or whose paid up initial capital was below the minimum limit specified under the